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Attorneys for Debtors

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:
 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

In re:
 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED
 FUND, LLC,
 Debtor.

In re:
 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

In re:
 USA SECURITIES, LLC,
 Debtor.

Affects:

- ☒ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA First Trust Deed Fund, LLC

Case No. BK-S-06-10725 LBR
 Case No. BK-S-06-10726 LBR
 Case No. BK-S-06-10727 LBR
 Case No. BK-S-06-10728 LBR
 Case No. BK-S-06-10729 LBR

Chapter 11

Jointly Administered Under
 Case No. BK-S-06-10725 LBR

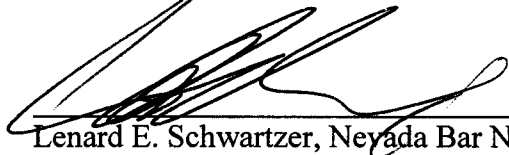
**NOTICE OF ENTRY OF ORDER
 DENYING JESSUPS' MOTION TO
 DISCLOSE INFORMATION UNDER
 THE FREEDOM OF
 INFORMATION ACT AND
 RELEASE OF FUNDS TO JESSUP**

**(AFFECTS USA COMMERCIAL
 MORTGAGE, USA CAPITAL FIRST
 TRUST DEED FUND, LLC AND USA
 CAPITAL DIVERSIFIED TRUST
 DEED FUND, LLC)**

Date: July 5, 2007
 Time: 9:30 a.m.

1 **NOTICE IS HEREBY GIVEN** that an Order Denying Jessups' Motion To Disclose
2 Information Under The Freedom of Information Act and Release of Funds to Jessup was entered
3 on July 30, 2007, a copy of which is attached hereto.

4 Respectfully submitted this 31 day of July, 2007.

5
6 

7 Lenard E. Schwartz, Nevada Bar No. 0399
8 Jeanette E. McPherson, Nevada Bar No. 5423
9 **SCHWARTZER & MCPHERSON LAW FIRM**
10 2850 South Jones Boulevard, Suite 1
11 Las Vegas, Nevada 89146

12 and

13 Annette W. Jarvis, Utah Bar No. 1649
14 Steven C. Strong, Utah Bar No. 6340
15 **RAY QUINNEY & NEBEKER P.C.**
16 36 South State Street, Suite 1400
17 P.O. Box 45385
18 Salt Lake City, Utah 84145-0385

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CERTIFICATE OF SERVICE

1. On July 31, 2007 I served the following document(s):

a. Notice of Entry of Order Denying Jessups' Motion To Disclose Information Under The Freedom of Information Act and Release of Funds to Jessup

2. I served the above-named document(s) by the following means to the persons as listed below:

☐ a. **By ECF System:**

☒ b. **By United States mail, postage fully prepaid:**

Harry W. Jessup
Helen B. Jessup
2009 West Lund
Las Vegas, NV 89102

☐ c. **By Personal Service**

I personally delivered the document(s) to the persons at these addresses:

☐ For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☐ d. **By direct email (as opposed to through the ECF System)**

Based upon the written agreement to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ e. **By fax transmission**

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ f. **By messenger**

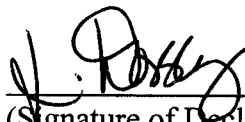
I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

Signed on: July 31, 2007

LIA DORSEY

(Name of Declarant)



(Signature of Declarant)



Entered on Docket
July 30, 2007

Hon. Linda B. Riegler
United States Bankruptcy Judge

Annette W. Jarvis, Utah Bar No. 1649
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Attorneys for Debtors

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

BK-S-06-10725-LBR
BK-S-06-10726-LBR
BK-S-06-10727-LBR
BK-S-06-10728-LBR
BK-S-06-10729-LBR

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

In re:
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,
Debtor.

JOINTLY ADMINISTERED
Chapter 11 Cases

In re:
USA CAPITAL FIRST TRUST DEED FUND,
LLC,
Debtor.

In re:
USA SECURITIES, LLC,
Debtor.

Affects:
☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☒ USA Capital Diversified Trust Deed Fund, LLC
☒ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

**ORDER DENYING JESSUPS'
MOTION TO DISCLOSE
INFORMATION UNDER THE
FREEDOM OF INFORMATION ACT
AND RELEASE OF FUNDS TO
JESSUP**

**(AFFECTS USA COMMERCIAL
MORTGAGE, USA CAPITAL FIRST
TRUST DEED FUND, LLC AND USA
CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC)**

Date: July 5, 2007
Time: 9:30 a.m.

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Las Vegas, Nevada 89146-5308
Tel: (702) 228-7590 · Fax: (702) 892-0122

1 Harry and Helen Jessups's Motion to Disclose Information Under the Freedom of
 2 Information Act and Release of Funds to Jessups (the "Motion") having come before this Court;
 3 Harry Jessup appearing as movant, Lenard E. Schwartzer of Schwartzer & McPherson Law Firm
 4 appearing for USA Commercial Mortgage Company ("USACM") and USA Capital First Trust
 5 Deed Fund, LLC ("FTDF"), and Marc A. Levinson of Orrick Herrington & Sutcliffe, LLP
 6 appearing for USA Capital Diversified Trust Deed Fund, LLC; the Court having reviewed the
 7 opposition file by USACM and FTDF and having heard the argument of Mr. Jessup, the Court
 8 finds that the Freedom of Information Act is inapplicable to the Court and the parties; and it is
 9 therefore

10 ORDERED that the Motion be, and hereby is, denied.

11 Prepared and submitted by:

12 /s/ Lenard E. Schwartzer

13 Lenard E. Schwartzer, Nevada Bar No. 0399
 14 Jeanette E. McPherson, Nevada Bar No. 5423
 15 SCHWARTZER & MCPHERSON LAW FIRM
 2850 South Jones Boulevard, Suite 1
 Las Vegas, Nevada 89146

16 **Approved** / Disapproved by:

18 /s/ Marc A. Levinson

19 Marc A. Levinson, (California Bar No. 57613)
 20 ORRICK, HERRINGTON & SUTCLIFFE LLP
 400 Capitol Mall, Suite 3000
 Sacramento, California 95814
 21 Counsel for USA Capital Diversified Trust Deed Fund, LLC

22 Approved / Disapproved by:
 23
 24

25 Harry W. Jessup
 Helen B. Jessup
 26 2009 West Lund
 Las Vegas, NV 89102
 27 In Proper Person
 28

1 In accordance with LR 9021, counsel submitting this document certifies as follows
 2 (check one):

3 ☐ The court has waived the requirement of approval under LR 9021.

4 ☐ No parties appeared or filed written objections, and there is no trustee appointed
 5 in the case.

6 ☒ I have delivered a copy of this proposed order to all counsel who appeared at
 7 the hearing, any unrepresented parties who appeared at the hearing, and any trustee
 8 appointed in this case, and each has approved or disapproved the order, or failed to
 9 respond, as indicated below [list each party and whether the party has approved,
 10 disapproved, or failed to respond to the document]:

11 Harry & Helen Jessup - Failed to respond
 12 Marc A. Levinson, Esq. - Approved

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